



Haryana Government Gazette

Published by Authority

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No. 1-2020] CHANDIGARH, TUESDAY, JANUARY 7, 2020 (PAUSA 17, 1941 SAKA)

PART-I

Notifications, Orders and Declarations by Haryana Government

STATE ELECTION COMMISSION HARYANA
NIRVACHAN SADAN, PLOT NO. 2, SECTOR 17, PANCHKULA

Order

The 13th December, 2019

SUBJECT:- PANCHAYAT GENERAL ELECTIONS-2016 DISQUALIFICATIONS OF DEFAULTING CANDIDATES REG.

No. SEC/2E-II/2019/1781.— The General Elections of Zila Parishad, Sirsa were held in January, 2016 and the results of the elected candidates were declared on 28.01.2016.

2. As per provisions contained in the Haryana Panchayati Raj Election Expenditure (Maintenance and Submission of Accounts) Order, 1996, every candidate contesting election to the post of Member of Zila Parishad shall have to maintain day to day election expenditure account in accordance with the procedure laid down in paras 4, 5 and 6 of these orders and shall have to lodge his account of election expenses within 30 days from the date of declaration of result of the election in the prescribed format with the Deputy Commissioner-cum-District Election Officer(Panchayat) or any other officer as specified by the Commission. The total of the expenditure shall not exceed such amount as may be notified by the State Election Commission from time to time.

3. Para 11 of these orders provides that if the State Election Commission is satisfied that a person --

- (a) has failed to lodge an account of election expenses, within the time and in the manner required by or under this Act, and
- (b) has no good reason or justification for the failure the State Election Commission shall, by order published in the Official Gazette, declare him to be disqualified and may such person shall be disqualified for a period of three years from the date of the order.

4. The Commission, *vide* its Notification No. SEC/2E-II/2015/5782, dated 03.06.2015 prescribed the limit of expenditure of Rs. 2,00,000/- that may be incurred by the contesting candidate or his authorized agent in connection with election of Member Zila Parishad.

5. The Deputy Commissioner-cum-District Election Officer, Sirsa through his letter No. 305/Panel/2018, dated 30.05.2018, had conveyed the names of contesting candidates of Zila Parishad, Sirsa failed to submit their election expenditure statement within the prescribed time. The Commission had served show cause notice upon them to explain as to why they should not be disqualified on account of non submission of election expenditure account within the prescribed period. I had given an opportunity of personal hearing to thirty four candidates in my office chamber on 05.12.2019 in the interest of justice. Sh. Manoj Kumar, Clerk was present on behalf of Deputy Commissioner-cum-District Election Officer(P), Sirsa.

6. The following candidates did neither respond to show cause notice nor appeared before me, details as under :-

| क्रम संख्या | उम्मीदवार का नाम सर्वश्री / श्रीमति / कुमारी | पिता / पति का नाम सर्वश्री | पता | वार्ड नं० |
|-------------|---|-------------------------------|-----------------------|-----------|
| 1 | कुलदीप कौर | लक्ष्मन | डबवाली गांव | 1 |
| 2 | कश्मीरी लाल | दिवान चन्द | मसीता | 2 |
| 3 | सुखमन्द्र सिंह | कुंभा राम | शेरगढ | 2 |
| 4 | मनोहरमा | गगन | तेजा खेड़ा | 3 |
| 5 | सुमन | सुरजीत कुमार | आशा खेड़ा | 3 |
| 6 | शकुन्तला रानी | दलबीर सिंह | केहरवाला | 5 |
| 7 | जगदीप | चानन राम | घोड़ावाली | 6 |
| 8 | गगनदीप कौर | लखविन्द्र सिंह | मल्लेका | 10 |
| 9 | मदन लाल | रणजीत | भूर्टवाला | 10 |
| 10 | अनीता | रणबीर | रुपाना खुर्द | 12 |
| 11 | कान्ता देवी | सुरेश कुमार | चाड़ीवाल | 14 |
| 12 | मेघना | विनोद कुमार | दड़बा कलां | 14 |
| 13 | सुरेन्द्र कुमार | मांगे राम | जोधकां | 15 |
| 14 | ओमप्रकाश | बुधराम | कोटली | 15 |
| 15 | कुलदीप सिंह | नरसी राम | पतली डाबर | 15 |
| 16 | विनोद कुमार | हरीचन्द | दड़बी | 17 |
| 17 | दाता राम | उदमी राम | पन्नीवाल मोटा | 20 |
| 18 | सुभाष | रणजीत सिंह | फतेहपुरिया नियामत खां | 20 |
| 19 | सुरेश कुमार | माधो राम | खुईया नेपालपुर | 20 |
| 20 | किरपाल कौर उर्फ किरनदीप कौर | गुरविन्द्र सिंह | औढा | 21 |
| 21 | सन्तोष कुमारी गर्ग | पवन कुमार | औढा | 21 |
| 22 | स्वर्ण कौर | गुरप्रीत कौर | गदराना | 22 |
| 23 | रणजीत कौर | जगदेव सिंह | केवल | 22 |
| 24 | गगनदीप कौर | बाबू सिंह | असीर | 22 |
| 25 | हरजस | मिठु सिंह | पक्का शहिदा | 23 |

Therefore, it can be concluded that the above mentioned twenty five candidates have nothing to say in the matter. Hence, they deserve to be disqualified. I, Dr. Dalip Singh, State Election Commissioner, Haryana, in exercise of powers vested under Article 243K of the Constitution of India and Section 212 of the Haryana Panchayati Raj Act, 1994 and all other powers enabling in this behalf hereby order that twenty five candidates mentioned in para 6 above be disqualified for being chosen as, and for being a member of Panchayats i.e. Gram Panchayat, Panchayat Samiti and Zila Parishad for a period of three years from the date of this order.

7. I further direct that a copy of this order be sent to candidates concerned through Deputy Commissioner-cum-District Election Officer, Sirsa.

8. I further direct that a copy of this order be hosted on website of the Commission www.secharyana.gov.in.

Panchkula:
The 5th December, 2019.

DR. DALIP SINGH,
State Election Commissioner, Haryana.